

JAN 25 2005

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To: Examiner: Steven Ho Yin Loke
Group Art Unit: 2811
Confirmation No.: 6830

From: John S. Sensny, Esq.

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Pages: 7 (Including fax cover sheet)

Phone:

Date: January 25, 2005

Re: Applicants: David V. Horak, et al.
Serial No.: 10/752,386
Filed: January 6, 2004
For: FORMATION OF A FAT DISPOSABLE
SPACER TO "POST DOPE" POLYSI GATE
CONDUCTOR
Docket: FIS920030114US1 (16509)
JSS:jy

CC

Response to Restriction Requirement

TRANSMITTED HEREWITH:

1. General Transmittal Letter (in duplicate);
2. Response to Restriction Requirement; and
3. Certificate of Facsimile Transmission, dated January 25, 2005 (in duplicate).


FOR:

Applicants: David Horak, et al.
Serial No.: 10/752,386
Filed: January 6, 2004
For: FORMATION OF A FAT DISPOSABLE SPACER TO "POST DOPE" POLYSI GATE
CONDUCTOR
Docket: FIS920030114US1 (16509)
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TRANSMITTAL LETTER (General - Patent Pending)				Docket No. FIS920030114US1 (16509)	
In Re Application Of: David V. Horak, et al					
Application No. 10/752,386	Filing Date January 6, 2004	Examiner Steven Ho Yin Loke	Customer No. 23389	Group Art Unit 2811	Confirmation No. 6830
Title: FORMATION OF A FAT DISPOSABLE SPACER TO "POST DOPE" POLYSI GATE CONDUCTOR					
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Transmitted herewith is: RESPONSE TO RESTRICTION REQUIREMENT					
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 _____ Signature				Dated: January 25, 2005	
John S. Sensny Registration No. 28,757 Correspondence Address Customer No. 23389 cc: JSS:jy				<div style="border: 1px solid black; padding: 5px;"><p>_____ I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on _____</p><p>_____ (Date)</p><p>_____ Signature of Person Mailing Correspondence</p><p>_____ Typed or Printed Name of Person Mailing Correspondence</p></div>	

P16A/REV03

CERTIFICATE OF TRANSMISSION BY FACSIMILE (37 CFR 1.8) Applicant(s): David V. Horak, et al.			Docket No. FIS920030114US1 (16509)
Application No. 10/752,386	Filing Date January 6, 2004	Examiner Steven Ho Yin Loke	Group Art Unit 2811
Invention: FORMATION OF A FAT DISPOSABLE SPACER TO "POST DOPE" POLYSI GATE CONDUCTOR			
<p>I hereby certify that this <u> RESPONSE TO RESTRICTION REQUIREMENT </u> <i>(Identify type of correspondence)</i></p> <p>is being facsimile transmitted to the United States Patent and Trademark Office (Fax. No. <u>(703) 872-9306</u>)</p> <p>on <u>January 25, 2005</u> <i>(Date)</i></p> <p style="text-align: right;"><u>John S. Sensny</u> <i>(Typed or Printed Name of Person Signing Certificate)</i></p> <p style="text-align: right;"><u><i>John S. Sensny</i></u> <i>(Signature)</i></p> <p style="text-align: center;">Note: Each paper must have its own certificate of mailing.</p>			

P18/REV02

TRANSMITTAL LETTER (General - Patent Pending)				Docket No. FIS920030114US1 (16509)	
In Re Application Of: David V. Horak, et al.					
Application No. 10/752,386	Filing Date January 6, 2004	Examiner Steven Ho Yin Loke	Customer No. 23389	Group Art Unit 2811	Confirmation No. 6830
Title: FORMATION OF A FAT DISPOSABLE SPACER TO "POST DOPE" POLYSI GATE CONDUCTOR					
<u>COMMISSIONER FOR PATENTS:</u>					
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<input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. 09-0458/IBM as described below.					
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<input checked="" type="checkbox"/> Credit any overpayment.					
<input checked="" type="checkbox"/> Charge any additional fee required.					
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.					
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
 Signature			Dated: January 25, 2005		
John S. Sensny Registration No. 28,757			<div style="border: 1px solid black; padding: 2px;">I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)].</div> <div style="border: 1px solid black; padding: 2px;">(Date)</div> <div style="border: 1px solid black; padding: 2px;">Signature of Person Mailing Correspondence</div> <div style="border: 1px solid black; padding: 2px;">Typed or Printed Name of Person Mailing Correspondence</div>		
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P18A/REV03

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David V. Horak, et al.

Examiner: Ho Yin Steven Loke

Serial No.: 10/752,386

Group Art Unit: 2811

Filed: January 6, 2004

Docket: FIS920030114US1 (16509)

For: FORMATION OF A FAT
DISPOSABLE SPACER TO
"POST DOPE" POLYSI GATE
CONDUCTOR

Dated: January 25, 2005

Confirmation No.: 6380

Commissioner for Patents
P.O. Box 1450
Washington, D.C. 20231

RESPONSE TO RESTRICTION REQUIREMENT

Sir:

In an Office Action dated December 30, 2004, the Examiner required that the application be restricted either to Claims 1-12 or to Claims 13-17.

CERTIFICATION OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Dated: January 25, 2005

John S. Sensny
John S. Sensny

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The Examiner argued that these groups of claims are drawn to separate and distinct inventions. Specifically, Claims 1-12 are drawn to a method to make a semiconductor device, and Claims 13-17 are drawn to a semiconductor device.

In response to this Restriction Requirement, applicants elect Claims 1-12 for prosecution of this application.

If the Examiner believes that a telephone conference with applicants' attorneys would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,

John S. Sensny
John S. Sensny
Registration No. 28,757
Attorney for Applicants

Scully, Scott, Murphy & Presser
400 Garden City Plaza - Suite 300
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JSS:jy

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